

TMH:jlb 07/21/03 207484.doc
PATENTAttorney Reference Number 6395-64907
Application Number 09/701,536Remarks

By this preliminary amendment, claims 35-37, 44, 45, 48, 49, and 55-58 are amended and new claims 68-86 are added. Support for the amendments and new claims is found throughout the specification as filed, and in addition specific support can be found as set forth below. No new matter has been added by this amendment. After entry of this amendment, **claims 35-86** are pending in the application.

Support for the amendment to claim 35 can be found, for instance, at page 1, line 23-24, Figure 1 and the description thereof at page 9, lines 14-15 (discussing and illustrating processing of prM to remove its signal sequence), at page 15, line 14 (discussing pre-M, which contains the signal sequence, for use in the claimed transcriptional units) and at page 19, lines 11-12 and in Figures 2, 6, and 7 (describing and illustrating the Kozak ribosomal binding sequence). Claims 36, 37, 44, 45, 48, 49, and 55-58 have been amended as to drafting style. Support for addition of the phrase "or a mixture of two or more thereof" in claims 36, 44, 48, and 56 can be found at least at page 1, lines 5-6 (discussing molecules which "contain genes for structural proteins of flaviviruses").

Support for new claim 68 can be found, for instance, in Example 5 at page 28, lines 8-9. Support for new claim 69 can be found at page 19, lines 11-12 and in Figures 2, 6, and 7 (describing and illustrating the Kozak ribosomal binding sequence in context). Support for new ~~claims 70-86 can be found in the original claims, throughout Example 4, and additionally in the~~ specification, for instance, at page 8, lines 6-8, and page 16, lines 23-25 (discussing immunogenic properties of subviral particles), and at page 17, lines 7-9 (discussing use of subviral particles to stimulate the immune system of a subject to generate immunological responses).

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It is believed that the application is in good condition for substantive examination, and such is respectfully requested. If any matters remain to be discussed prior to examination, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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